

STATE OF MISSISSIPPI, COUNTY OF WASHINGTON

I, Barbara Esters-Parker, Clerk of the Circuit Court in and for said County and State hereby certify that the foregoing contains a whole, true and correct copy of 2023-0180 CO Wade vs City of GVL as the same appears on file in my office, at Greenville, Mississippi.

Witness my hand and official Seal,

this the 23rd day of May A.D., 2023

Barbara Esters-Parker

Clerk of the Circuit Court of Washington County, Mississippi



By C. Parker D.C.

COVER SHEET Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		Court Identification Docket #		Case Year	Docket Number
Mississippi Supreme Court Administrative Office of Courts Form AOC/01 (Rev 2020)		76	1	CO	2023
		County #	Judicial District	Court ID (CH, CI, CO)	Docket Number
		05	02	23	0180
		Month	Date	Year	Local Docket ID
This area to be completed by clerk					
In the		Court of		County	Judicial District
Origin of Suit (Place an "X" in one box only)					
<input type="checkbox"/> Initial Filing <input type="checkbox"/> Reinstated <input type="checkbox"/> Foreign Judgment Enrolled <input type="checkbox"/> Transfer from Other court <input type="checkbox"/> Other <input type="checkbox"/> Remanded <input type="checkbox"/> Reopened <input type="checkbox"/> Joining Suit/Action <input type="checkbox"/> Appeal					
Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form					
Individual <u>Wade</u> <u>Eric</u>					
Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV					
<input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____ Estate of _____ <input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____ D/B/A or Agency _____					
Business _____					
<input type="checkbox"/> Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: _____ D/B/A _____					
Address of Plaintiff _____					
Attorney (Name & Address) _____					
<input type="checkbox"/> Check (x) if Individual Filing Initial Pleading is NOT an attorney MS Bar No. _____ Signature of Individual Filing: _____					
Defendant - Name of Defendant - Enter Additional Defendants on Separate Form					
Individual _____					
Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV					
<input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____ Estate of _____ <input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____ D/B/A or Agency _____					
Business <u>Greenville Police Dept</u>					
<input type="checkbox"/> Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: _____ D/B/A _____					
Attorney (Name & Address) - If Known _____ MS Bar No. _____					
<input type="checkbox"/> Check (x) if child support is contemplated as an issue in this suit.* *If checked, please submit completed Child Support Information Sheet with this Cover Sheet					
Nature of Suit (Place an "X" in one box only)					
Domestic Relations		Business/Commercial		Children/Minors - Non-Domestic	
<input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Divorce: Irreconcilable Diff. <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Term. of Parental Rights-Chancery <input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA) <input type="checkbox"/> Other _____		<input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Business Dissolution <input type="checkbox"/> Debt Collection <input type="checkbox"/> Employment <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Replevin <input type="checkbox"/> Other _____		<input type="checkbox"/> Adoption - Contested <input type="checkbox"/> Adoption - Uncontested <input type="checkbox"/> Consent to Abortion <input type="checkbox"/> Minor Removal of Minority <input type="checkbox"/> Other _____	
Appeals		Probate		Civil Rights	
<input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Dept Employment Security <input type="checkbox"/> Municipal Court <input type="checkbox"/> Other _____		<input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Mental Health Commitment <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Joint Conservatorship & Guardianship <input type="checkbox"/> Heirship <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Name Change <input type="checkbox"/> Testate Estate <input type="checkbox"/> Will Contest <input type="checkbox"/> Alcohol/Drug Commitment (voluntary)		<input type="checkbox"/> Elections <input type="checkbox"/> Expungement <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief/Prisoner <input type="checkbox"/> Other _____	
				Contract	
				<input type="checkbox"/> Breach of Contract <input type="checkbox"/> Installment Contract <input type="checkbox"/> Insurance <input type="checkbox"/> Specific Performance <input type="checkbox"/> Other _____	
				Statutes/Rules	
				<input type="checkbox"/> Bond Validation <input type="checkbox"/> Civil Forfeiture <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Injunction or Restraining Order <input type="checkbox"/> Other _____	
				Real Property	
				<input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Eviction <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Tax Sale: Confirm/Cancel <input type="checkbox"/> Title Boundary or Easement <input type="checkbox"/> Other _____	
				Torts	
				<input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Mass Tort <input checked="" type="checkbox"/> Negligence - General <input type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability <input type="checkbox"/> Subrogation <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other _____	

Received & Filed

MAY 02 2023

Barbara Esters-Parker

By: [Signature] D.C.

Case: 76CO1:23-cv-00180 Document #: 5 Filed: 05/02/2023 Page 1 of 2

11/03/2017 13:26 washington co youth court

(FAX)16623342796

P.001/002

JUDGE VERNITA KING JOHNSON
WASHINGTON COUNTY COURT

PRO SE LITIGANT INFORMATION SHEET

(Please Print)

NAME: Eric Wade Vette Toy

ADDRESS: 1430 Irby Street

SSN: (LAST 4 DIGITS ONLY) 8201

CONTACT PHONE: 662 580-6878 CELL: 662 522-2705

EMAIL ADDRESS: _____

ALTERNATE
CONTACT
PHONE: _____

PLACE OF EMPLOYMENT: _____

WORK TELEPHONE: _____

I certify that the above information is correct and I understand that I am responsible for notifying the clerk's office in writing at Post Office Box 1276, Greenville, MS 38702 of any changes in address and/or cell phone. I also understand if my court notice is returned due to an address change and I failed to provide same to the clerks/court, my case will be dismissed.

SIGNATURE: Eric Wade DATE: _____

CC: Clerk's Office

Received & Filed

MAY 02 2023

Barbara Esters-Parker

By: [Signature] D.C.

Case: 76CO1:23-cv-00180
11/03/2017 13:27 Washington co youth court

Document #: 5

Filed: 05/02/2023

Page 2 of 2

(FAX)18623342796

P.002/002

IN THE COUNTY COURT OF WASHINGTON COUNTY, MISSISSIPPI

Eric Wade/Yvette Toy

PLAINTIFF(S)

VERSUS

CAUSE NO: 2023-0180 CO

G'ville Police Dept

DEFENDANT(S)

I, Eric Wade/Yvette Toy, have been advised by the Court of the following police and philosophy of Judge Vernita King Johnson with regard to Pro Se Litigants (i.e. self-representation):

- 1) I have the right to represent myself pursuant to Miss Const. Art III Section 25.
- 2) The court strongly urged me to secure an attorney and further advised a continuance will not be granted on the day of trial for me to secure an attorney.
- 3) I am expected to follow and adhere to the rules of evidence, law, and procedure. I am also to respect the courtroom decorum. The Court will not relax or disregard the rules of evidence, procedure, or courtroom protocol.
- 4) The role of the court (i.e. Judge) is not to act as my legal advisor or counsel.
THE COURT CANNOT AND WILL NOT GIVE LEGAL ADVICE.
- 5) I understand that I am responsible for notifying the Clerk's office in writing at Post Office Box 1276, Greenville, MS 38702 of any change in address and/or cell phone. I understand if my court notice is returned due to an address change and I did not provide to the clerks/court, my case will be dismissed.
- 6) All litigants, with or without counsel, will be treated fairly and respectfully.

After having read the above admonitions, policies, and philosophy of the Court, I, _____, hereby acknowledge that I understand and still wish to proceed as a pro se litigant (i.e. represent myself) and waive any and all rights to secure counsel, but may do so prior to my trial date.

PRO SE LITIGANT

DATE

IN THE COUNTY COURT OF WASHINGTON COUNTY MISSISSIPPI

Eric Wade Yvette Toy
Plaintiff

vs.

Greenville Police Department
Defendant

Action No. 2023-0180 CO

COMPLAINT

1. The plaintiff's name, address, and telephone number are:

Name: Eric Wade Yvette Toy 662-580-6878, 662 522-2705
Address: 1430 Irby Street
City, State, & Zip: Greenville, MS 38701
Telephone Number: 662-580-6878, 662 522-2705

2. The defendant(s)' name, address, and telephone number are:

Name: Marcus Turner
Address: 216 Main St
City, State, & Zip: Greenville, MS 38701
Telephone Number: 662 378-1515

3. The defendant (s) is indebted to the plaintiff in the amount of: \$ 2.5 million dollars

4. The basis for plaintiff's claim against the defendant (s) is: (state why you claim the defendant (s) owes

you money and/or other items that you are seeking. Attach additional sheet(s) and copies of documents, if necessary.)

I Eric Wade and Yvette Toy are suing
the Greenville police department for
misconduct, assault and battery, and false charges
and violating our rights on Sept 14, 2022.

5. The demand from Defendant(s) plus court costs is: _____

Received & Filed

MAY 02 2023

Barbara Esters-Parker

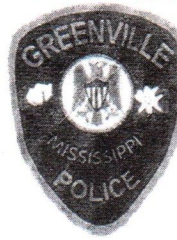
By: [Signature] D.C.

Signature:

Print name:

Eric Wade Yvette Toy
Eric Wade Yvette Toy

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Incident Report #22049236

GREENVILLE POLICE DEPARTMENT
 216 MAIN STREET
 GREENVILLE, MS 38701
 ORI-MS0760100
 PHONE# 662-378-1515
 FAX# 662-378-9513

Event Info

Date Reported 09/14/2022	Time Reported 17:42	Time Dispatched 17:47	Time Arrived 17:47	Time Completed 18:18
Addr. of Occ. 1430 IRBY ST	City GREENVILLE	Zipcode 38701	Date Occ. Range 09/14/2022 - 09/14/2022	Time Occ. Range 17:15 - 17:35
District DISTRICT 2	Grid ZONE 23	Shift B	How Reported PHONE	Dispatch Disposition OPN

Classification Completed

Class ASSAULT	Subclass Simple Assault
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Arrested Person

Name Type		Name	Address		City		State	Zip
Arrestee		JUNG, JARVIS	687 METCALFE RD		GREENVILLE		MS	38703
Sex	Race	EO	Height	Weight	Hair	Eyes		
M	BLACK	UNKNOWN	511	175	BLK	BRO		

Charges

Charge Code 97-3-7(1)(a)(i)	Charge Description SIMPLE ASSAULT - CAUSING BODILY INJURY	Charge Dispo PENDING
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Suspect

Name Type		Name	Address		City		State	Zip
Suspect		JUNG, JARVIS	687 METCALFE RD		GREENVILLE		MS	38703
Sex	Race	EO	Height	Weight	Hair	Eyes		
M	BLACK	UNKNOWN	511	175	BLK	BRO		

Victim

Name Type Victim	Name TOY, YVETTE	Address 1232 W. COTTON DR.	City GREENVILLE	State MS	Zip 38701
Sex F	Race BLACK	EO NON-HISPANIC	Hair BLK	Eyes BRO	

Victim

Name Type		Name	Address		City		State	Zip
Victim		WADE, ERIC	1430 IRBY STREET		GREENVILLE		MS	38701
Sex	Race	EO	Height	Weight	Hair	Eyes		
M	BLACK	NON-HISPANIC	508	170	BLK	BRO		

Narrative

Written By BURDEN, JAY	Date Written 09/14/2022
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On Wednesday, September 14, 2022, at approximately 1747 hours, Officer J. Burden was dispatched to 1430 Irby

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St. in reference to assisting Officer Jung and Sgt. Surf. Once on scene, Sgt. Surf and Officer Jung were speaking with Mr. Eric Wade and Ms. Yvette Toy. Sgt. Surf advised Mr. Wade and Ms. Toy that the vehicle parked in front of 1431 Ibry St. was not blocking the roadway. As officers were walking off to clear the call, a gray in color vehicle pulled up on the scene. Mr. Jarvis Jung jumped out of the vehicle and was heading toward Mr. Wade in a fighting motion. Mr. Wade took off running from Mr. Jung to avoid the fight. Mr. Jung chased up behind Mr. Wade and grabbed him by his t-shirt. While Mr. Jung was holding Mr. Wade, Mr. Jung struck Mr. Wade several times before Officer Burden separated them.

While Mr. Jung was detained, Mr. Jung honked up some spit and spit in Ms. Toy's face. At that time Officer Burden placed Mr. Jung in the back of his patrol car due to both Mr. Wade and Ms. Toy wishing to pursue charges. At this time there is no further information given.

Supplemental Narrative

Written By	Date Written
BURDEN, JAY	09/14/2022

On 09-14-2022 Wednesday at 1747 hours, I Sergeant Chris Surf responded to 1430 Irby requested by Officer S. Jung in reference to an irate subject. Ofc. Jung stated it was the same man that she has had prior issues with. Sgt. Surf was familiar with Eric Wade. Wade has a history of being very irate, not listening, over talking, and not comprehending simple facts. Wade has had issues with all his surrounding neighbors of him complaining and attempting to control the positions of the garbage cans and where people park on the city street. Wade displays many mental instabilities of outward anger and verbal language outbursts. Today Wade was complaining of a truck connected to a utility trailer parked on the opposite side of the street across from his residence. Wade was informed the truck and trailer were parked correctly. Actually the two vehicles were off in the grass to further position the vehicles off the roadway. The vehicles belonged to the landlord of Ofc. Jung where Ofc. Jung resides directly across the street from 1430 Irby. Wade was even more irate when he was informed of no crime was committed. Wade has a long history of verbal threatening abuse towards Ofc. Jung who has a pending current threatening charge against Wade.

A vehicle pulled up where Ofc. Jung's brother Jarvis Jung and their mother exited the vehicle. Jarvis attacked Wade and hit him with his hands. Ofc. J. Burden took control of him. Jarvis spit on Wade's wife Yvette Toy while Ofc. Burden was holding him back. Wade grabbed a long wooden stick and was going towards to attack Jarvis. Ofc. Jung and Sgt. Surf stopped that action by pulling their tasers out. Sgt. Surf yelled taser taser taser three times to warn Wade to drop the stick, put you're hands behind you're back and to get on the ground. Wade complied and was handcuffed. He was separated and detained to the rear seat of Ofc. Jung's unit. Ofc. Burden had handcuffed Jarvis and detained him in his unit. Sgt. Surf had handcuffed and detained Ofc. Jung's mother and put her in his unit to separate so all parties could cool down. Jarvis was arrested for assault on hitting Wade and for spitting on Wade's wife Yvette Toy. Ofc. Jung's mother was released. Wade and Toy came to GPD to sign charges. Yvette Toy had an outstanding warrant for domestic abuse and was arrested.

Supplemental Narrative

Written By	Date Written
JUNG, SHARDAE	09/14/2022

On Wednesday September 14, 2022 at approximately 1747 hours I, Officer Jung was dispatched to 1430 Irby Street in reference to a neighbor problem. Once on scene Mr. Eric Wade was stating that I needed to tell my landlord at 1431 Irby Street that he can not park on the opposite side of the roadway from his residence. I stated to Mr. Wade that my landlord hasn't broke any laws. Mr. Wade became very irate and started threatening to bust out windows. I called for more units and Sgt. Surf and Ofc. Burden arrived on scene. Sgt. Surf advised Mr. Wade that Mr. McIntire (landlord) had not broken any laws. Mr. Wade didn't want to listen to Sgt. Surf and was talking loudly. Sgt. Surf and myself started walking towards our vehicles to leave the scene and my mom Ms. Monica Norman and my brother Mr. Jarvis Jung pulled up on scene. Jarvis and Mr. Wade got into a physical altercation. Monica and Ms. Toy was having a verbal altercation. Sgt. Surf placed Monica in handcuffs and placed her in the back of his vehicle until she calmed down. Monica was released and Jarvis was taken into custody. Myself and Mr.

Case: 76CO1:23-cv-00180 Document #: 3 Filed: 05/02/2023 Page 4 of 4

Wade has a previous history of incidents. I am pursuing charges against Mr. Wade for a previous incident. Mr. Wade has been altercations with multiple of our neighbors and has a history of being highly intoxicated. At this time there is no further information given.

Case Management

Initial Investigator	Report Status	Approved By	Date Approved
BURDEN, JAY	Approved	GALLOWAY, GARY	09/14/2022 22:39

IN THE COUNTY COURT OF WASHINGTON COUNTY, MISSISSIPPI

50/20
Eric Wade & Yvette Toy
vs.
Greenville Police Dept.

PLAINTIFF

CAUSE NO. 2023-0180 CO

DEFENDANT

SUMMONS

TO THE SHERRIF OR PROCESS SERVER:
YOU ARE COMMANDED TO SERVE:

Marcus Turner
216 Main Street
Greenville, MS



NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

UNLESS YOU DISPUTE THE VAILIDITY OF THE COMPLAINT WITHIN THIRTY (30) DAYS FROM THE RECIPT OF THIS NOTICE THE COMPLAINT WILL BE PRESUMED TO BE VALID.

You are required to mail or hand-deliver a copy of the written response to the Complaint to Washington Co. Circuit Clerk Office Your response must
(your name and address)

be delivered within thirty (30) days from the date of delivery of the Complaint or a Judgment by Default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of the response with the Clerk of this Court within a reasonable time afterword.

Issued under my hand and seal of said Court this 2nd day of May 2019.

Barbara Esters Parker, Circuit Clerk
CIRCUIT COURT OF WASHINGTON
PO BOX 1276
GREENVILLE, MS 38702-1276

By: C. L. L. D.C.



5-17-2023 12:13 pm
K. M. Thomas

Received & Filed

MAY 22 2023

Barbara Esters-Parker

By: C. Laper D.C.

Return of 5/17/23 to 12:13p.m.

Marcus Turner

By Mr. Johnson (Secretary)

While Mr. Turner was on the phone.

A copy of this writ.

Date: 5/17/23 Time: 12:13p.m.

Signature Date: _____ Time: _____

This is the 17th day of MAY 2023

By J. Blum Sheriff
William Gaston, Sr., SHERIFF
Washington County, MS
Deputy Sheriff

**FEE BILL , CIRCUIT COURT
MISCELLANEOUS**Receipt No. 331096AR Account 0STATE OF MISSISSIPPI
WASHINGTON COUNTYCAUSE NO. 2023-0180 CO

For: ERIC WADE VS. CITY OF GREENVILLE

COPIES-CIVIL \$19.50

Receipt Total..... \$19.50

How Paid:

Cash Amount: \$0.00

Check Amount: \$19.50 #: 422

Other Amount: \$0.00

By: clakes

Payment Received From: PHELPS DUNBAR, LLCthis the 23 day of May A.D., 2023 Dollars \$19.50

D.C.

Barbara Esters-Parker, Circuit Clerk